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THE RESTRICTION OF IMMIGRATION^{*}

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There are enough people in the United States who believe that there is something wrong with our present method of handling immigration, to furnish an audience, ready made, to one who has a remedy to propose. It is no longer necessary to go over the long line of argument to prove that evils exist. For this very reason, perhaps, there has been a wide variety of schemes of reform presented, each with its followers.

Nevertheless, the student of social affairs who is accustomed to regard public problems in the light of established laws and fundamental principles, approaches such a question as the regulation of immigration with extreme reluctance. It is such a tremendous movement, and cuts straight across all social relations with such an unsparing inclusiveness, as to inspire him with a feeling of reverential awe, rather than a desire to intermeddle. In a human problem of such complexity, one can never foresee with accuracy what the unknown factors will be, nor be certain that some of the latent springs of human conduct will not break out to upset his best laid plans. Yet the immigration problem is not one which can be let alone. It is a dynamic question, which demands attention and decision. If we settle the matter by determining to do nothing, we thereby make a decision, for which we may be more accountable than if we took some positive stand. And in this country, immigration will not be let alone. Somebody must make decisions, and frame policies, and if the social scientists hold aloof, it will be done by selfish interests and quack politicians.

More than this, it is an immediate problem. Things are happening with alarming rapidity, and what is to be done must be done speedily. These are the reasons which justify the presentation of this paper, in which it is proposed to suggest certain improvements in our method of handling the immigration situation in this country.

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One thing we may be sure of—any remedy ought to bear some immediate relation to the evils which it contemplates remedying. Before proceeding to the outline of the proposed new scheme, it will be profitable to glance hastily over the most important of the evils charged against immigration, and the foremost remedies which have been suggested, with a view to determining to what extent the latter promise direct relief from the former. The chief objections to the present immigration situation may be summarized under eight heads, each with a convenient catch-word to fix it in memory, as follows:

1. We have too many immigrants. A million a year of the peasants of Europe is more than this country can safely undertake to look after. This may be called the “numbers” objection.

2. The immigrants are poorly distributed. The great majority of them settle in the most densely populated states, and in the most congested sections of the largest cities of those states. The agricultural regions, which particularly want them, get very few of them. This is the “distribution” objection.

3. The immigrants are poorly assimilated, or not assimilated at all. This is in large measure due to the faulty distribution, and to the excessive numbers. There is great danger to the country in the growing heterogeneity of population, which results from ever increasing numbers of immigrants, of widely diverse races, who form compact colonies in our great cities, and come in slight touch with American life. The “assimilation” objection.

4. The competition of alien laborers, accustomed to a low standard of living, is lowering the wages and standard of living of the American workman—at the very least, it is preventing them from rising. The “standard of living” objection.

5. Immigration seriously increases the amount of pauperism and crime in the United States, through the admission of large numbers of aliens of bad moral character, or low economic ability. The “pauperism and crime” objection.

6. The present immigration movement is not a natural one, but is stimulated and fostered by transportation companies, labor agents, and other interested parties. Immigrants come with misconceptions and delusions, and without any natural fitness for

American life, and as a result many of them suffer bitter hardships, and add nothing to the life of this country. The "stimulation" objection.

7. Many—perhaps most—of the immigrants enter the country as conscious law-breakers, since a very large proportion of them knowingly evade the contract-labor provision of the law. Thus they begin their American life with a spirit of indifference or hostility to law, which augurs ill for their future usefulness to the country. The "illegal entrance" objection.

8. Immigration, as at present conducted, is proving of no real and lasting benefit to foreign nations. The stimulus given to the birth rate by the fact of emigration prevents any relief of congestion, and the other apparent benefits of emigration are offset by positive evils. The difference in economic level between the United States and foreign countries is gradually being obliterated, at the expense of the United States, and without bettering the other nations. The "foreign countries" objection.

Not all of the foregoing charges have as yet been adequately proved. Some of them perhaps never can be. But they contain the germ of the most important criticisms of the present system, and any proposed remedy ought to promise relief for at least two or three of them.

Among the principal remedies suggested for the problem under consideration the following stand out prominently:

1. The literacy test. This has received perhaps more attention than any other single remedy, and has a host of adherents. It would certainly meet the numbers objection. Since more than a quarter of the immigrants over fourteen years of age can neither read nor write, the strict application of the literacy test would probably cut down the total immigration to an approximately equal degree. It is difficult to see how the literacy test would be of any avail in meeting the distribution, standard of living, stimulation, or illegal entrance objections. It might help to a limited degree in securing better assimilation (No. 3), and it is claimed that literate immigrants are somewhat less prone to pauperism and crime than illiterate ones (No. 5).

2. Consular, or other inspection abroad, either at the port of

embarkation, or in the native village of the immigrant. This might secure a somewhat better enforcement of the existing law, and obviate some of the hardships of the rejected immigrant. It is hard to see how it could materially affect any one of the foregoing objections.

3. Requiring immigrants to come up to a certain physical standard, such as is required for recruits to the army. This would probably remedy the numbers objection to a considerable extent, but would hardly meet any of the others. Our immigrants are already as free from physical and mental diseases and weaknesses, and abnormalities, as a rigid examination can make them.

4. A minimum wage requirement for aliens, making it illegal to employ any alien for less than a specified wage. This is aimed directly at the standard of living objection. It hardly touches any of the others. It is, furthermore, highly impracticable and unjust, as it would impose an *ex post facto* basis of admission. No immigrant could possibly know before he left home what wage he might be sure of unless he was under contract, which is legally prohibited, nor could the examining inspectors tell anything about it. It is hard to see what would be done with aliens who could not earn the specified wage, unless they were supported at public expense, which would subject them to deportation, and would multiply the "tragedy of the rejected immigrant" a hundred fold.

Other suggested remedies, mentioned in the Report of the Immigration Commission, are as follows:

5. The limitation of the number of immigrants of each race.
6. The exclusion of unskilled laborers unaccompanied by wives or families.
7. The limitation of the number of immigrants arriving annually at any port.
8. The material increase in the amount of money required to be in the possession of the immigrant, or of the head tax.
9. The levy of the head tax so as to make a marked discrimination in favor of men with families.

All of these last five remedies, except the very last, are designed primarily to meet the numbers objection, and would be effective to a greater or less extent. Those which aim to discriminate in favor

of men with families might also have some effect in meeting the assimilation objection, as families are much more likely to come in touch with americanizing influences than single individuals. They might, however, operate to aggravate the pauperism and crime objection, as men might be induced to bring over their families when they were really not able to do so, and later fall into pauperism, or be led into crime.

Looking over this list of remedies it becomes apparent that the only objection which most of them seem likely to meet to any considerable extent is the "numbers" objection. The mere reduction in the number of immigrants is very probably desirable, and might be accomplished in a variety of ways. Most of the remedies, however, fail absolutely to touch directly the great problems of distribution, assimilation, the degrading competition of low standards of living, pauperism and crime, unnatural immigration, and evasion of law, to say nothing of the somewhat idealistic problem of really bettering foreign nations. The scheme of regulation which is now to be discussed aims to touch directly every one of these objections. It will seem to many visionary and impractical, to others too drastic and revolutionary—it at least has the merit of having some connection with the evils which it aims to remedy.

The first change involved in the proposed plan is for the government to recognize frankly its responsibility for aliens after they have been admitted and to take charge, officially and authoritatively, of the distribution of immigrants in this country. Hitherto we have tacitly assumed that if sufficient care is exercised in the matter of admission, our duty is done, and the mere fact of residence in this country will bring to the immigrant all of those advantages which he is seeking, and the United States will secure all the benefit possible from his presence. We are tardily learning the utter falsity of this assumption. To promote better distribution, the government should make it its business to ascertain where immigrant labor is actually needed, and where it can be supplied without injuring economic and social conditions—the two ideas are nearly correlative—and should see to it that the immigrants go there, and not elsewhere. To accomplish this, the aid of state and local boards should be enlisted. These agencies should furnish

to the government authorities a statement of the number of immigrants who are desired in various sections, the nature of the work they are desired to do, and the wages they may expect. Private employers should be encouraged to state their needs to such boards, or directly to the federal authorities, and make known how many immigrants they wish to employ. All such requests should be investigated, and given official approval before they are acted upon.

All of these requests, and this information, would be compiled and tabulated, and the officials of foreign governments should be supplied with the lists of places, the numbers of immigrants desired, wages, etc. Prospective immigrants should then be required to select the places to which they wished to go before emigrating. A small proportion might possibly be allowed to emigrate without any specified destination—a sort of floating representation.

To aid in the carrying out of this provision, passports should be required of all immigrants, bearing the approval of the foreign nation of the emigration of the individual, and stating the destination which the immigrant has chosen in this country.

Under this system, the greater number—if not all—of the arriving immigrants would come with their destination already picked out, and approved of by the United States government. The government should then see that they get there. The immigrant should not be discharged from authority until he has reached his specified destination. Inspectors should accompany the immigrant trains, and turn their charges over to state or local officials, who should be held responsible for their safe delivery.

In addition to the direct and obvious advantage of securing a more rational distribution, these provisions would also result in encouraging the immigrant to make a more careful study of conditions in America before he left home, and to choose his destination on the grounds of the need of his services, rather than because some friend or relative lived there. This would help to do away with much of the ignorance and misconception which characterize so many of the immigrants today. The passport provision, furthermore, would require the foreign government to scrutinize each would-be emigrant, and this, if conscientiously done, would tend to limit the number of inadmissibles who annually reach our shores.

It may seem that this arrangement would tend to encourage the immigration of contract laborers. There is no doubt that it would. In fact, one part of the proposed plan under discussion is the entire repeal and abolishment of the contract labor clause of the immigration law. It is one of the greatest absurdities of our present legislation, that it assumes and implies that the most desirable immigrant is the one who knows absolutely nothing about what work he is going to do in this country, or whether he will be able to find any. It puts a premium upon ignorance and lack of foresight. If we should see a group of our own fellow-citizens starting out for some foreign country with such a hazy idea of their prospects there, we should brand them as most shiftless and foolhardy. This section of our laws has been made necessary so far, because the government has not hitherto taken control of the number of immigrants, nor of their distribution, nor felt any responsibility for the condition of the immigrant after landing. Under the proposed system, the government should not only allow, but encourage, the making of contracts with prospective immigrants, by state and local boards of public works, and by private employers. But every contract should be made under the approval of the government, witnessed by an official stamp of some kind. The government authorities should also establish a minimum wage for each locality or industry, below which contracts must not be made. Any contract which lacked the official seal, or named a wage below the fixed minimum should be *ipso facto* null and void. Any immigrant, party to such a contract, should be subject to deportation, and the employer to punishment.

To facilitate the making of legal contracts, the government should provide printed forms, stating the place, the name of the employer, the occupation, conditions of labor, and wage, leaving a blank for the name of the immigrant. By this means, employers of labor who found themselves unable to secure an adequate supply of labor at a fair living wage in this country could send their agents to foreign countries, and secure laborers in an open and above-board, legal way, accomplishing the same end that they now achieve by underhand and illegal methods, through the assistance of unscrupulous labor agents and contractors. The great difference

would be that under the new system the wage agreed upon would have to be such as met with official sanction. If employers did not find it worth while to engage foreign labor under such conditions, it would simply show that there was no real need for laborers in the country, and would work to the advantage of the workmen already here.

The plan, as thus far outlined, contains three main propositions: (1) government control of the distribution of immigrants; (2) requirement of passports for admission; (3) the abolition of the contract labor clause, and the encouragement and government control of labor contracts with aliens, at a minimum wage. These three provisions meet most of the stock objections which have been outlined. They meet directly the distribution, and therefore the assimilation, objection. The abolition of the contract labor clause, in connection with the minimum wage, meets the standard of living objection. The requirements of a passport, coupled with better distribution, would mitigate the dangers of pauperism and crime. The diminution of the power of the labor agent, and the various runners, would tend to make the movement a more natural one. This would also be furthered by requiring the immigrant to choose a specific destination out of a long list recommended by the United States government. The abolition of the contract labor clause would remove the greatest temptation to illegal entrance, for the majority of immigrants. The proposed plan does not contemplate removing any of the restrictive tests now employed, except the contract labor clause.

The only objections not thus far provided for are the numbers objection and the foreign countries objection. In regard to these, it should be noted first of all, that there is nothing in the three propositions which have been put forth, which is inconsistent with most of the important plans for reducing numbers, or which would prevent them from being applied together. There is, however, another method of meeting directly the two remaining objections, which harmonizes especially well with the rest of the proposed plan. It would be a decided innovation, and the attempt to introduce it might meet with insuperable obstacles of a political and administrative nature. At first sight it presents a decided aspect

of impracticability. Nevertheless, it is interesting from a theoretic standpoint, and might prove more possible of application than at first seems probable. Briefly stated, it is as follows:

The immigration of unskilled laborers to this country should be restricted to a single foreign nation, or group of nations, each year. Let it be understood, by international agreement, that in one year, only immigrants from Germany would be admitted, the next from Italy, the next from Austria-Hungary, etc. Nations which send only small contingents of immigrants should be grouped, either with each other, or with one of the larger countries. Passports to unskilled immigrants from other nations should not be recognized, with the possible exception that each nation might be allowed, every year, a small number of immigrants, to be chosen by the foreign nation, to cover exceptional cases. The United States government could then maintain a special force of inspectors, who should make their headquarters in the nation whose turn it was, year by year, and help to direct and facilitate the movement from that end.

This provision would manifestly help to cut down numbers, for it is not at all likely that ever, in a single year, would as many immigrants arrive from any single country, or group of countries, as now come from all countries. It would also give foreign nations a chance to utilize emigration, consciously and advisedly, for their own benefit. There is every reason to believe that the popular idea that a regular emigration from a country tends to relieve congestion, is a fallacy. Rather does it seem probable that population increases at least as fast, in a country with a large emigration, as if there was none at all. On the other hand, a sudden and extensive emigration, limited in time, may result in cutting down population, and giving the standard of living time to rise before the forces of reproduction have filled up the gap. Under the proposed plan, any foreign nation which believed that a large emigration of its citizens would be a benefit both to those who went and those who stayed—as for instance, on the occasion of the introduction of some important labor-saving machine—could make arrangements with the United States to take its turn at such a time. If foreign nations did not care to do their part in such an arrangement, or if the natives did not wish to leave, the immigration

problem would be happily solved for us, without any responsibility on our part.

Against the plan thus outlined, a host of objections, criticisms, doubts, and queries arrays itself. Of these, no one can be more conscious than the writer. Yet the same can be said of almost any human device or project. The validity of such a proposition must rest upon searching analysis and criticism, and ultimately upon trial. The pressing and immediate nature of the immigration problem in the United States justifies the proposal of any seriously conceived plan, which claims to rest on scientific principles.

When the western hemisphere was opened up to settlement by Europeans, the ratio between men and land was altered for all civilized nations. There were opportunities for the permanent betterment of the human race such as had never before been equaled. They demanded the highest degree of human wisdom in their utilization, in order that they should not be squandered. The responsibility for the choicest portion of this new world was laid on the people of the budding nation of the United States. In our modern days of conservation, we are learning, almost too late, how recklessly these resources were dissipated. Vast treasures of forest, mine, river, and fertile plain, which, under proper management, might have been made to serve the race for all time to come, were ruthlessly wasted. Today we are busily engaged in trying to save what is left.

The human aspects of the situation are similar. The United States, above all other lands, has offered the theater for the highest evolution of the human species, for the development of a people who should help to draw all other races up to a higher plane of living. The duty of the United States is not to herself alone, but to all the world. The problem of immigration is but a part of the great conservation movement. It has to do with the conservation of the American people, and all that it stands for.